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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
IN ITS INSOLVENCY JURISDICTION
FARAD CONTINUATION SHEET

NOTICE OF MOTION NO.17 OF 2007
IN
INSOLVENCY NOTICE NO.296 OF 2006

Re. Rita Kishor Hassija — Judg.Debtors
Ex-parte : Deepa Manohar Bajaj & ors — Jud. Creditors

WITH
INSOLVENCY PETITION NO.138 OF 2005

Re. Kishor Gobindram Hassija — Debtor

Ex-parte : Kunal Manohar Bajaj — Substituted Pet.Creditor

Miss Rekha C. Shukla for judgement/pet.creditor
Mr.Vimlesh Singh for judgement debtors.
Mr.Kishor Gobindram Hassija in INPT 138/05 present

CORAM : A.M.KHANWILKAR, J.

DATE : 18th December 2007

PC :

1. According to the counsel for the debtor, the amount in question has already been paid. That position is stoutly disputed by the counsel for the petitioning creditor. The defence taken on behalf of the debtor is obviously to create a gloss. Receipts in respect of discharge of other liabilities produced before the Court cannot be reckoned to hold that the liability in respect of present decretal amount is satisfied. Unless such

MST

satisfaction was to be recorded by the judgement creditor, it is not possible for the Court to accept the stand taken by the debtor. The only course open to this Court is to give further time to the debtor as last opportunity to deposit the decretal amount which I am informed is about Rs.67,000/- (Rs.Sixty seven thousand only) in this Court before the next date of hearing, failing which the Court may proceed to pass appropriate order as may be warranted. Besides, both the debtors to remain personally present in the Court on the next date of hearing. Stand over to 15th January 2008.

(A.M.KHANWILKAR, J.)